

Federal Operating Permit
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: HNI Corporation
Facility Name: The HON Company
Facility Location: 11200 Old Stage Road
Chester, Virginia
Registration Number: 50766
Permit Number: PRO50766

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act (Sections I through IX)

September 29, 2006
Effective Date

September 29, 2011
Expiration Date

Deputy Regional Director

September 29, 2006
Signature Date

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I. Facility Information

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Muscatine, IA 52761

Responsible Official
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General Manager

Facility
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Chester, VA 52761

Contact Person
John C. Hutchens
Safety and Environmental Manager
(804) 796-3116

County-Plant Identification Number: 51-041-0133

Facility Description: NAICS 337214 – Steel Lateral Files, Steel File Cabinets, and Steel Bookcases (Metal Furniture).

Process: The steel furniture manufacturing process at The HON Company comprises of metal fabrication, welding, metal parts washing, spray coating and coating curing. Some assembly operations involve adhesive usage.

Process Steps: Raw materials including coated and uncoated steel are received and fabricated into furniture components. Various components are welded or glued in assembly operations. The uncoated components are cleaned in three stage washers and dried in gas-fired ovens before transfer to one of the coating lines. Coating is accomplished through manual electrostatic spray application. Overspray is collected on a baffle system and either reformulated for reuse or shipped to the paint manufacturer for reformulation. Overspray not collected on the baffles passes through dry polyester filters before exhausting through the coating line stacks. In addition, three lines operate with small dip tanks. Gas-fired ovens set the coating. Final assembled products are packaged and shipped.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
EU1 Line 1- Metal Furniture Coating Operations Manual Electrostatic Spray (Line 1 - File Line) – MACT RRRR							
EU1	5, 6 & 7	Line 1- Metal Furniture Coating Operations Manual Electrostatic Spray (Line 1 - File Line) constructed 1973	37.5 gals/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD 5, 6 & 7	PM/PM10	8/9/06
	16&17	(1) Natural Gas or LPG Dry-off/Bake Oven burner (2) Spray Paint Booths	2.5 mmbtu/hr	-	-	-	
	5	Booth no. 1 contains 4 spray paint guns (Ransburg Electrostatic REA-4 (65 kV)	Each gun approximately 10 gals/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD5	PM/PM10	
	6&7	Booth no. 2 contains 4 spray paint guns (Ransburg Electrostatic REA-4 (65 kV)	Each gun approximately 10 gals/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD6 & CD7	PM/PM10	

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
	6&7 (Booth 2)	(1) Paint Dip Tank (Volume: 2'6"x2'6"x 2'6")		-	-	-	
		(1) Nat. Gas or LPG Air Makeup Heater	3.5 mmbtu/hr	-	-	-	
EU2 Line 2- Metal Furniture Coating Operations Manual Electrostatic Spray (Line 2 – Flex Line) – MACT RRRR							
EU2	19, 21-23 (dry off/bake oven,	Line 2 - Metal Furniture Coating Operations Manual Electrostatic Spray (Line 2 - Flex Line) constructed 1973	37.5 gals/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD9, CD10 and CD11	PM/PM10	8/9/06
	9, 10 and 11 (spray booths)						
	10 and 11 dip tank and air make up heater						
	19, 21, 22 & 23	(1) Nat. Gas or LPG Dry-off/Bake oven (2) Spray Paint Booths	4.4 mmbtu/hr	-	-	-	
	9	Booth no. 1 contains 2 spray guns Ransburg Electrostatic REA-4 (65 kV)	Each gun approx. 10 gals/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD9	PM/PM10	

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
	10 & 11	Booth no. 2 contains 4 spray guns Ransburg Electrostatic REA-4 (65 kV)	Each gun approx. 10 gals/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD10 & CD11	PM/PM10	
	10 & 11	(1) Paint Dip Tank Volume: 2'6"x 2'6"x2'6"		-	-	-	
	10 & 11	(1) Nat. Gas or LPG Air Makeup Heater		-	-	-	
EU3 Line 3 - Metal Furniture Coating Operations Manual Electrostatic Spray (Line 3 - Lateral Line) - NSPS EE & MACT RRRR							
EU3	38, 42, 43 (dry off oven), 29, 30, 32 and 33 (spray booths), 39, 40 and 41 (bake oven and air make up heaters) 38, 42, & 43	Line 3 - Metal Furniture Coating Operations Manual Electrostatic Spray (Line 3 - Flex Line) constructed 1995 (1) Nat. Gas or LPG Dry-off Oven	37.5 gals of coating mixture/hr 4.5 mmbtu/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5 -	CD29,CD30, CD31, CD32 and CD33 -	 -	8/9/06

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
	29	(4) Spray Paint Booths Booth no. 1 contains 2 spray guns Ransburg Electrostatic REA-4 (65 kV)	Each gun approx. 10 gals/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD29	PM/PM10	
	30	Booth no. 2 contains 2 spray guns Ransburg Electrostatic REA-4 (65 kV)	Each gun approx. 10 gals/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD30 & CD31	PM/PM10	
	32	Booth no. 3 contains 2 spray guns Ransburg Electrostatic REA-4 (65 kV)	Each gun approx. 10 gals/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD32	PM/PM10	
	33	Booth no. 4 contains 2 spray guns Ransburg Electrostatic REA-4 (65 kV)	Each gun approx. 10 gals/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD33	PM/PM10	
	39, 40 & 41	(1) Nat. Gas or LPG Bake Oven (2) Nat. Gas or LPG Air Makeup Heaters	4.5 mmbtu/hr 3.5 mmbtu/hr (each)	- -	- -	- -	

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
EU4 Line 4 - Metal Furniture Coating Operations Manual Electrostatic Spray – NSPS EE & MACT RRRR							
EU4	47and 48 (dry off oven), 49, 50, 51 and 52 (spray booths and dip tank), 53 and 54 (bake oven and air make up heaters)	Line 4 - Metal Furniture Coating Operations Manual Electrostatic Spray constructed 1998	37.5 gals of coating mixture/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD49,CD50, CD51, and CD52		8/9/06
	47 and 48 49 and 50	(1) Nat. Gas or LPG Dry-Off Oven Booth no. 1 contains (2) Spray Paint Booths Ransburg Electrostatic REA-4 (65 kV)	2.5 mmbtu/hr Each gun approx. 10 gals/hr	- Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	- CD49 and CD50	-	

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity *	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
	51 and 52	Booth no. 2 contains (2) Spray Paint Booths Ransburg Electrostatic REA-4 (65 kV)	Each gun approx. 10 gals/hr	Metal Baffle Filter System followed by (Polyester Filters AmAir 62 Plus Mer 8) Capture % Efficiency: 98 Design % Efficiency: 99.5	CD51 and CD52		
	49, 50, 51 and 52	(1) Paint Dip Tank Volume: 2'6"x 2'6"x 2'6"		-	-	-	
	53 and 54	(1) Nat. Gas or LPG Bake Oven	3.5 mmbtu/hr	-	-	-	
		(1) Nat. Gas or LPG Air Makeup Heater	2.78 mmbtu/hr	-	-	-	

*The Size/Rated capacity and PCD efficiency is provided for informational purposes only, and is not an applicable requirement.

III. Process Equipment Requirements – (emission unit ID#s EU1-4)

A. Limitations

2. **Emission Controls** - Particulate emissions from the metal furniture coating application systems (EU1, EU2, EU3 and EU4) shall be controlled by a metal baffle filter system. The metal baffle filter system shall be provided with adequate access for inspection and shall be in operation when the metal furniture coating application systems (EU1, EU2, EU3 and EU4) are operating.
(9 VAC 5-80-110 and Condition 2 of 8/9/06 Permit)
3. **Emission Controls** - Volatile organic compound emissions from each of the paint dip tanks for (EU1, EU2, and EU4) shall be controlled by having a cover on top of the dip tank when not in use. The dip tank and cover shall be provided with adequate access for inspection.
(9 VAC 5-80-110 and Condition 3 of 8/9/06 Permit)
4. **Emission Controls and Control Efficiency** - Volatile organic compound emissions from the metal furniture coating application systems (EU1, EU2, EU3, and EU4) shall be controlled by high-solids coatings and a metal baffle filter system. The metal baffle filter system shall be provided with adequate access for inspection and shall be in operation when the metal furniture coating application systems (EU1, EU2, EU3, and EU4) are operating. In addition, the metal furniture coating application systems for EU3 and EU4 shall control volatile organic compound (VOC) emissions by the use of manual electrostatic spray guns each with a transfer efficiency of a minimum of 60%.
(9 VAC 5-80-110, Condition 4 of 8/9/06 Permit, 9 VAC 5-50-410 and 40 CFR 60.313)
5. **VOC Work Practice Standards** - Volatile organic compound emissions from cleaning lines of equipment shall be minimized by minimization of the quantity of volatile organic compounds used.
(9 VAC 5-80-110 and Condition 5 of 8/9/06 Permit)
6. **VOC Work Practice Standards** - Volatile organic compound (VOC) emissions from cleaning or purging a system shall be minimized by adjustment of production schedules to minimize coating changes.
(9 VAC 5-80-110 and Condition 6 of 8/9/06 Permit)
7. At any one time, there shall be no more than 4 guns in operation per line (EU1, EU2, EU3, and EU4).
(9 VAC 5-80-110 and Condition 7 of 8/9/06 Permit)
8. **Throughput** - The daily throughput of VOC to each of the metal furniture coating application systems (EU1 and EU2) shall be no more than 1,800.0 pounds per day. The throughput of VOC to each of the metal furniture coating application systems (EU1 and EU2) shall be no more than 240 tons per year (including VOCs from the paint and

thinning solvent), calculated monthly as the sum of each consecutive 12 month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

(9 VAC 5-80-110 and Condition 8 of 8/9/06 Permit)

9. **Throughput** - The daily throughput of VOC to the metal furniture coating application system (EU3) shall be no more than 1,680.0 pounds per day. The throughput of VOC to metal furniture coating application system (EU3) shall be no more than 69.0 tons VOC per year (including VOCs from the paint and thinning solvent), calculated monthly as the sum of each 12 consecutive month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

(9 VAC 5-80-110 and Condition 9 of 8/9/06 Permit)

10. **Throughput** - The daily throughput of VOC to the metal furniture coating application system (EU4) shall be no more than 1,680.0 pounds per day. The throughput of VOC to the metal furniture coating application system (EU4) shall be no more than 67.2 tons per year (including VOCs from the paint and thinning solvent), calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

(9 VAC 5-80-110 and Condition 10 of 8/9/06 Permit)

11. **Operating VOC Emission Limitation** - Volatile organic compound emissions from finishing coatings used in each of the metal furniture coating application systems (EU1 and EU2) shall be limited to 3.0 lb VOC/gal less water as a daily average as delivered by the coating applicator.

(9 VAC 5-40-4630 A, 9 VAC 5-80-110 and Condition 11 of 8/9/06 Permit)

12. **Operating VOC Emission Limitation** - Volatile organic compound emissions from finishing coatings used in each of the metal furniture coating application systems (EU3 and EU4) shall be limited to 2.8 lb VOC/gal less water as a daily average as delivered by the coating applicator and shall be limited to 7.51 pounds of VOC per gallon of coating solids applied [0.90 Kg of VOC per liter of coating solids applied].

(9 VAC 5-80-110, Condition 12 of 8/9/06 Permit, 5-50-410, and 40 CFR 60.312)

13. **Throughput** - The volatile organic compound throughput associated with cleanup for operation of each of the metal furniture coating application systems (EU1, EU2, EU3 and EU4) shall not exceed 4.1 tons per year, 2.1 tons per year, 3.5 tons per year and 2.1 tons per year (respectively), calculated monthly as the sum of each consecutive 12 month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
(9 VAC 5-80-110 and Condition 13 of 8/9/06 Permit)
14. **Fuel** - The approved fuels for the heaters/burners of the dry-off ovens, bake ovens, and makeup air are natural gas or liquefied petroleum gas (LPG). A change in the fuel may require a permit to modify and operate.
(9 VAC 5-80-110 and Condition 14 of 8/9/06 Permit)
15. **Fuel Throughput** - The heaters/burners of the dry-off ovens, bake ovens, and makeup air shall all consume no more than 342×10^6 cubic feet of natural gas or 3,722,000 gallons of liquid petroleum gas per year, calculated monthly as the sum of each consecutive 12 month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
(9 VAC 5-80-110 and Condition 15 of 8/9/06 Permit)

NSPS EE for EU and E4 and MACT RRRR for EU1-4 Limitations:

16. **Requirements by Reference** - Except where this permit is more restrictive than the applicable requirement, the NSPS equipment (EU3 and EU4) as described in II. Emission Units shall be operated in compliance with the requirements of 40 CFR Part 60, Subpart EE and the MACT equipment (EU1 – 4) as described in II. Emission Units shall be operated in compliance with the requirements of 40 CFR Part 63, Subpart RRRR. Compliance for EU3 and EU4 with NSPS 40 CFR 60 Subpart EE shall be determined by an initial and monthly performance tests as specified in 40 CFR 60.313. Reporting and recordkeeping requirements including quarterly or semiannual reporting shall be as specified 40 CFR 60.315. Compliance for EU1 – 4 with (40 CFR 63.4890 – Emission Limitation) MACT RRRR shall be in compliance at all times as per 40 CFR 63.4900.
(9 VAC 5-50-400, 9 VAC 5-50-410, 9 VAC 5-60-100, 9 VAC 5-80-110 and Condition 16 of 8/9/06 Permit)
17. **Process Emission Limits** - Emissions from the operation of each of the metal furniture coating application systems (EU1 and EU2) shall not exceed the limits specified below:

Particulate Matter (PM) (including condensable PM)	2.4 lbs/hr	5.2 tons/yr
PM-10	2.4 lbs/hr	5.2 tons/yr

Volatile Organic Compounds	112.5 lbs/hr	1,800.0 lbs/day	240.0 tons/yr
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These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers III.A.1, 2, 3, 6, 7, 10, 14, 22, 23, III.B.4. and AQP-2.

(9 VAC 5-80-110 and Condition 17 of 8/9/06)

18. **Process Emission Limits** - Emissions from the operation of the metal furniture coating application system (EU3) shall not exceed the limits specified below:

Particulate Matter (PM) (including condensable PM)	2.4 lbs/hr		0.9 tons/yr
PM-10	2.4 lbs/hr		0.9 tons/yr
Volatile Organic Compounds	105.0 lbs/hr	1,680.0 lbs/day	69.0 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers III.A. 1, 3, 6, 8, 11, 15, 22, 24, III.B.4. and AQP-2.

(9 VAC 5-80-110 and Condition 18 of 8/9/06)

19. **Process Emission Limits** - Emissions from the operation of the metal furniture coating application system (EU4) shall not exceed the limits specified below:

Particulate Matter (PM) (including condensable PM)	2.4 lbs/hr		1.6 tons/yr
PM-10	2.4 lbs/hr		1.6 tons/yr
Volatile Organic Compounds	105.0 lbs/hr	1,680.0 lbs/day	67.2 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers III.A.1, 2, 3, 6, 9, 11, 14, 15, 21, 22, 24, III.B.4. and AQP-2.

(9 VAC 5-80-110 and Condition 19 of 8/9/06)

20. Process Emission Limits - Emissions from cleanup for operation of each of the metal furniture coating application systems (EU1, EU2, EU3 and EU4) shall not exceed the limits specified below:

Line #1: Volatile Organic Compounds	35.1 lbs/day	4.1 tons/yr
Line #2: Volatile Organic Compounds	17.6 lbs/day	2.1 tons/yr
Line #3: Volatile Organic Compounds	25.7 lbs/day	3.5 tons/yr
Line #4: Volatile Organic Compounds	17.6 lbs/day	2.1 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers III.A.4, 5, 6, 12 and III.B.4. (9 VAC 5-80-110 and Condition 20 of 8/9/06)

21. Facility wide Emission Limits - Total emissions from the facility shall not exceed the limits specified below:

Particulate Matter (PM) (including condensable PM)	12.6 lbs/hr	7.3 tons/yr
PM-10	12.6 lbs/hr	7.3 tons/yr
Sulfur Dioxide	0.7 lbs/hr	3.0 tons/yr
Nitrogen Oxides (as NO ₂)	6.0 lbs/hr	26.1 tons/yr
Carbon Monoxide	0.9 lbs/hr	3.5 tons/yr
Volatile Organic Compounds	540.3 lbs/hr 8643.4 lbs/day	242.8 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible

evidence of the exceedance of emission limits. The facility wide emissions limits listed in this condition does not include emissions from the units listed under IV. Insignificant Emission Units.

(9 VAC 5-80-110 and Condition 21 of 8/9/06)

22. **Emission Limits** - For EU4, the annual emissions of a single hazardous air pollutant (HAP) must be less than 10 tons/yr and any combination of HAPs must be less than 25.0 tons/yr. For EU4, if any single hazardous air pollutant is 10 tons/yr or more and/or any combination of HAPs is 25 tons/yr or more, a permit application shall be submitted for review.

(9 VAC 5-80-110 and Condition 22 of 8/9/06)

23. Current Material Safety Data Sheets (MSDS) shall be kept on site for each surface coating, solvent, and adhesive used in the facility for to demonstrate compliance with conditions III.A. 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20 and 21.

(9 VAC 5-80-110 and Condition 23 of 8/9/06)

24. **Visible Emission Limit** - Visible emissions from each of the metal furniture coating application systems (Lines# 1 and 2) exhausts shall not exceed twenty (20) percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A).

(9 VAC 5-80-110 and Condition 24 of 8/9/06)

25. **Visible Emission Limit** - Visible emissions from each of the metal furniture coating application systems (Lines # 3 and 4) exhausts shall not exceed five (5) percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A).

(9 VAC 5-80-110 and Condition 25 of 8/9/06)

B. Monitoring and Recordkeeping

1. Verification of existence of covers on each of the dip tanks for (EU1, 2 and 4); when not in use shall be performed upon a new batch of coating mix.

(9 VAC 5-50-50 and 9 VAC 5-80-110)

2. Monitoring of the metal baffle filter system and the visible emission limit for (EU 3 and 4) shall be as according to the CAM provisions in Condition III.B.3.

(9 VAC 5-20-110, 9 VAC 5-50-50 and 9 VAC 5-80-110)

3. Compliance Assurance Monitoring (CAM) Provisions

- a. The permittee shall monitor, operate, calibrate and maintain the metal baffle filter system (CD 5, 6, 7, 9, 10 and 11) controlling PM/PM10 resulting from operations of EU1 and EU2 according to the following:

	Indicator No. 1	Indicator No. 2
I. Indicator	Visible Emissions	Inspection/Maintenance
Measurement Approach	EPA Reference Method 22 observations performed monthly . EPA Reference Method 9 observation performed if visible emissions are observed unless visible emissions are corrected.	Monthly inspection for presence and condition of filters.
II. Indicator Range	An excursion is defined as the presence of visible emissions when conducting EPA Reference Method 22 and an opacity greater than 20 percent (6-minute average) when conducting EPA Reference Method 9. Excursions trigger followup actions and recordkeeping.	If during the monthly inspection or any additional observations noting any clogging, or tears or other operational impairments the filters shall be replaced immediately.
III. Performance Criteria		
A. Data Representativeness	Observations are performed at the exhaust stack during normal operations.	Inspections shall be performed at the control device.
B. Verification of Operational Status	NA	NA
C. QA/QC Practices and Criteria	EPA Reference Method 22: Observer shall be familiar with the EPA Reference Method 22 and follow EPA Reference Method 22 procedures. EPA Reference Method 9 (40 CFR 60 Appendix A): Observer shall be certified every six months.	Qualified personnel shall perform inspections.
D. Monitoring Frequency	EPA Reference Method 22: Monthly brief observations. EPA Reference Method 9: See above.	Monthly
Data Collection Procedures	EPA Reference Method 22 observations shall be recorded as part of the inspection process. EPA Reference Method 9 observations shall be conducted by a certified observer. All records shall be maintained on site.	Records shall be maintained to document all inspections and any required maintenance.
Averaging Period	EPA Reference Method 22: 15 seconds EPA Reference Method 9: 6-minute average	NA

- b. The permittee shall conduct the monitoring and fulfill the other obligations specified in 40 CFR 64.7 through 40 CFR 64.9.
(9 VAC 5-80-490 E and 40 CFR 64.6 (c))
- 4. Monitoring/initial and continuous compliance demonstrations for MACT RRRR for EU 1- 4 shall be as according to the applicable requirements in 40 CFR 63 Subpart RRRR (40 CFR 63.4941 and 40 CFR 63.4942).
(9 VAC 5-80-110, 9 VAC 5-50-50 and 9 VAC 5-60-100)
- 5. **On Site Records** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Piedmont Region. These records shall include, but are not limited to:
 - a. Daily records demonstrating compliance with the requirements in Air Quality Program Policies and Procedures, Number AQP-4 from each of the metal furniture coating application systems (EU1, EU2, EU3 and EU4) along with the maximum number of spray paint guns used at any one time.

NSPS EE Recordkeeping for EU3 and 4:

- b. Monthly records demonstrating compliance with the requirements in 40 CFR 60.315 for EU3 and EU4.
- c. Records for EU4 will be kept for to demonstrate compliance with condition no. III.A.21, to show that no single hazardous air pollutant (HAP) is 10 tons/yr or above and no combination of HAPs are 25 tons/yr or above. These records shall be performed and calculated monthly as the sum of each consecutive 12 month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months. These records may be requested to be submitted to the department at any time at the department's discretion.
- d. Current Material Safety Data Sheets (MSDS), Certified Product Data Sheets (CPDS), or other vendor information as approved by DEQ showing VOC content, toxic compound content, HAP content, water content, solids content, for each coating, adhesive, thinner, and cleaning solution used in the facility.
- e. Records demonstrating the average daily VOC emissions (in pounds/gallon of coating, excluding water, as delivered by the coating applicator) from each of the metal furniture coating application systems (EU1, EU2, EU3 and EU4).

- f. Monthly material balance of VOCs used at the facility, to include:
 - 1. Throughput of VOCs used in each of the metal furniture coating application systems (EU1, EU2, EU3 and EU4);
 - 2. Throughput of VOCs used in cleaning operations (for EU1, EU2, EU3 and EU4);
 - 3. Throughput of VOCs disposed of offsite;
 - 4. Calculation of emissions.
- g. Annual throughput of natural gas and liquefied petroleum gas (LPG), calculated monthly as the sum of each consecutive 12 month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
- h. Total of the previous twelve months' emissions. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
- i. Records demonstrating verification of existence of covers on each of the dip tanks for (EU1, 2 and 4) when not in use shall be performed upon a new batch of coating mix.

MACT RRRR Recordkeeping for EU1-4:

- j. All applicable records required to be kept as according to 40 CFR 63 Subpart RRRR – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture (40 CFR 63.4930 and 40 CFR 63.4931)

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 26 of 8/9/06 Permit)

C. Testing (inclusive of NSPS EE Test Methods) and MACT RRRR Compliance Methods

- 1. Monthly performance testing for NSPS EE shall be performed as according to 40 CFR 60.313.
(9 VAC 5-80-110, 9 VAC 5-50-410 and 40 CFR 60.313)

2. **Emissions Testing** - The facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Sampling ports shall be provided when requested at the appropriate locations as required by the appropriate test method and safe sampling platforms and access shall be provided.
(9 VAC 5-50-30 F and 9 VAC 5-80-110)
3. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows and as according to all applicable test methods required to be used in 40 CFR 60 Subpart EE (40 CFR 60.316) and all applicable compliance methods required to be used in 40 CFR 63 Subpart RRRR (40 CFR 63.4941):

The following table is only required for those pollutants that have emission limits.

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
NO _x	EPA Method 7
SO ₂	EPA Method 6
CO	EPA Method 10
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

D. Reporting

1. NSPS EE Reporting:
2. All applicable reports required to be kept and submitted as according to 40 CFR 60 Subpart EE –Standards of Performance for Surface Coating of Metal Furniture (40 CFR 60.315).
(9 VAC 5-80-110)
3. MACT RRRR Reprting:
4. All applicable reports required to be kept and submitted as according to 40 CFR 63 Subpart RRRR – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture (40 CFR 63.4920).
(9 VAC 5-80-110)

IV. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
EU1b	One (1) Detergent Parts Washer and two (2) associated Nat. Gas or LPG Burners	9 VAC 5-80-720 B. and C.2.	PM ₁₀ , SO ₂ , NO _x , CO and VOCs	1.0 mmbtu/hr (each)
EU2b	One (1) Detergent Parts Washer and One (1) associated Nat. Gas or LPG Burner	9 VAC 5-80-720 B. and C.2.	PM ₁₀ , SO ₂ , NO _x , CO and VOCs	1.0 mmbtu/hr
EU3c.	One (1) Detergent Parts Washer and Two (2) associated Nat. Gas or LPG Burners	9 VAC 5-80-720 B. and C.2.	PM ₁₀ , SO ₂ , NO _x , CO and VOCs	4.0 mmbtu/hr (each)
EU4c	One (1) Detergent Parts Washer and One (1) associated Nat. Gas or LPG Burner One (1) Hot Water Heater	9 VAC 5-80-720 B. and C.2.	PM ₁₀ , SO ₂ , NO _x , CO and VOCs	2.0 mmbtu/hr 0.2 mmbtu/hr
EU6	Conveyor Hook Blast System controlled by cyclone – vented indoors	9 VAC 5-80-720 B.	PM/PM ₁₀	810 hooks/hr
EU7a	Production Welding (37 electric arc, 3 mig, 4 plasma)	9 VAC 5-80-720 B.	PM	NA

EU7b	Maintenance welding (3 mig, and 4 stick welders)	9 VAC 5-80-720 B.	PM	NA
EU8	One (1)Lateral System Hot Water Heater	9 VAC 5-80-720 B. and C.2.	PM ₁₀ , SO ₂ , NO _x , CO and VOCs	0.2 mmbtu/hr
EU9	One (1) Nat. Gas or LPG Plant Hot Water Heater	9 VAC 5-80-720 B. and C.2.	PM ₁₀ , SO ₂ , NO _x , CO and VOCs	0.745 mmbtu/hr
EU10	One (1) Nat. Gas or LPG Plant Heater for Front Office	9 VAC 5-80-720 B. and C.2.	PM ₁₀ , SO ₂ , NO _x , CO and VOCs	0.225 mmbtu/hr
EU11	One (1) Nat. Gas or LPG Plant Heater for Absolute Air Unit-Plant	9 VAC 5-80-720 B. and C.2.	PM/PM ₁₀ , SO ₂ , NO _x , CO and VOCs	5.2 mmbtu/hr
EU12	One (1) Nat. Gas or LPG Plant Heater for Absolute Air Unit-Plant	9 VAC 5-80-720 B. and C.2.	PM/PM ₁₀ , SO ₂ , NO _x , CO and VOCs	5.2 mmbtu/hr
EU13	One (1) Nat. Gas or LPG Plant Heater for Absolute Air Unit-Warehouse	9 VAC 5-80-720 B. and C.2.	PM/PM ₁₀ , SO ₂ , NO _x , CO and VOCs	5.2 mmbtu/hr
EU14	Two Parts washers using Stoddard Solvent	9 VAC 5-80-720 B.	VOC	60 gal. (each)

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

This section and table should be included in every permit, even if there are no insignificant activities identified in the permit application. If no insignificant activities have been identified, note "None Identified" in the first row of the table.

V. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements, which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 60 Subpart EE	Standards of Performance for Surface Coating of Metal Furniture	EU 1 & 2 (Lines 1 & 2) are not applicable to 40 CFR 60 Subpart EE these two lines were constructed before the applicability date of November 28, 1980.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

VI. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.(9 VAC 5-80-110 F)
2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
(9 VAC 5-80-110 F)
3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
 - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
 - b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:
 - (1) Exceedance of emissions limitations or operational restrictions;
 - (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
 - (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.
7. One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, Piedmont Region within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions

as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition IX.C.3. of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Piedmont Region by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Piedmont Region.
(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9

VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios. (9 VAC 5-80-190 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege. (9 VAC 5-80-110 G.5)

1. Duty to Submit Information
2. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality. (9 VAC 5-80-110 G.6)
3. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G. (9 VAC 5-80-110 K.1)

L. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department. (9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

M. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
 2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
 3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
 4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
 5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.
- (9 VAC 5-40-90 and 9 VAC 5-50-90)

N. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E and 9 VAC 5-40-20 E)

O. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

P. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

Q. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

R. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

S. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.

(9 VAC 5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

T. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F 2 b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.
 - e. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.

- f. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.
(9 VAC 5-80-250)

U. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.
(9 VAC 5-80-190 C and 9 VAC 5-80-260)

V. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9 VAC 5-80-80 E)

W. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A-F)

X. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Y. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

Z. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

(9 VAC 5-80-110 I)

AA. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)